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**DEPARTMENT OF THE INTERIOR**

**National Park Service**

**[NPS-WASO-NAGPRA-14819; PPWOCRADN0-PCU00RP14.R50000]**

**Notice of Intent to Repatriate a Cultural Item: Virginia Museum of Fine Arts, Richmond, VA**

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice.

**SUMMARY:** The Virginia Museum of Fine Arts, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, has determined that the cultural item listed in this notice meets the definition of an object of cultural patrimony and a sacred object. Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim this cultural item should submit a written request to the Virginia Museum of Fine Arts. If no additional claimants come forward, transfer of control of the cultural item to the lineal descendants, Indian tribes, or Native Hawaiian organizations stated in this notice may proceed.

**DATES:** Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim this cultural item should submit a written request with information in support of the claim to the Virginia Museum of Fine Arts at the address in this notice by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Kelly Burrow, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA

23220, telephone (804) 204-2669, email [kelly.burrow@vmfa.museum](mailto:kelly.burrow@vmfa.museum).

**SUPPLEMENTARY INFORMATION:** Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate a cultural item under the control of the Virginia Museum of Fine Arts, Richmond, VA, that meets the definition of a sacred object and an object of cultural patrimony under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American cultural items. The National Park Service is not responsible for the determinations in this notice.

#### **History and Description of the Cultural Item**

The *X'átgu K'udás'* also called the "Mudshark Shirt" is made of red flannel edged with blue silk ribbon pendants along the side seams. The shark, which according to the *Naanya.aayí* Clan, is the clan crest and embodies the *X'átgu* (Mudshark). It is depicted as a stylized shark, composed of small pearl buttons, most of them in triple lines, and outlined in black. The shark is split down the center of the head and body so as to allow for the opening at the neck of the shirt.

The Mudshark Shirt was originally in the collection of Axel Rasmussen, a superintendent of schools in Skagway, AK. In 1948, the Portland Art Museum purchased his collection. Records from the Portland Art Museum read as follows: "Purchase, Indian Collection Subscription Fund. To be known as the Axel Rasmussen Collection. Vendor, Earl Stendahl." In 1955, the Virginia Museum of Fine Arts purchased part of the Rasmussen Collection from the Portland Art Museum, which included this Mudshark Shirt (PAM accession # 48.3.567; VMFA accession # 55.31.10).

Representatives of the Central Council of the Tlingit & Haida Indian Tribes, specifically

the *Naanya.aayí* clan, have identified that this shirt depicts a representation of the *X'átgu* crest and is owned by the *Naanya.aayí* clan. This crest is an object of cultural patrimony, as it is communally owned, and has ongoing historical, traditional, and cultural importance central to the Tlingit society and culture. This object is also a sacred object as it is vital to the ongoing cultural and religious practices that are unique to the Tlingit. Based on this information and consultation with the Central Council of the Tlingit & Haida Indian Tribes, the Virginia Museum of Fine Arts reasonably believes the Mudshark Shirt is culturally affiliated with the Tlingit.

#### **Determinations Made by the Virginia Museum of Fine Arts**

Officials of the Virginia Museum of Fine Arts have determined that:

- Pursuant to 25 U.S.C. 3001(3)(C), the one cultural item described above is a specific ceremonial object needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents.
- Pursuant to 25 U.S.C. 3001(3)(D), the one cultural item described above has ongoing historical, traditional, or cultural importance central to the Native American group or culture itself, rather than property owned by an individual.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Mudshark Shirt and the Central Council Tlingit & Haida Indian Tribes.

#### **Additional Requestors and Disposition**

Lineal descendants or representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to claim this cultural item should submit a written request with information in support of the claim to Kelly Burrow, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220, telephone (804) 204-2669, email [kelly.burrow@vmfa.museum](mailto:kelly.burrow@vmfa.museum) by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE **FEDERAL REGISTER**]. After that date, if no additional claimants have come forward, transfer of control of

the Mudshark Shirt to the Central Council Tlingit & Haida Indian Tribes may proceed.

The Virginia Museum of Fine Arts is responsible for notifying the Central Council Tlingit & Haida Indian Tribes that this notice has been published.

Dated: January 13, 2014.

Melanie O'Brien,

Acting Manager, National NAGPRA Program.

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